

STATINTL

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LOGISTICS
1954

PROCUREMENT OF SUPPLIES AND SERVICES

CONTRACTORS' COMPLIANCE WITH GOVERNMENT'S
NONDISCRIMINATION EMPLOYMENT POLICY

1. The President, by Executive Order No. 10479 dated 13 August 1953, promulgated a new policy concerning contractors' compliance with the non-discrimination provisions of Government contracts. Under the Executive order, the head of each department and agency has primary responsibility for obtaining such compliance and is required to take appropriate measures to bring about such compliance.

2. Accordingly, this Notice sets forth the procedures which shall be observed by all personnel in order to carry out the responsibility of the Director of Central Intelligence under the Executive order:

a. The Chief of Logistics shall be responsible for ensuring that the Agency complies with the Executive order.

b. All contract negotiators shall emphasize the importance of compliance with the nondiscrimination clause in their precontract discussions with contractors. Contract negotiators will point out to the contractor the obligation of both the Agency and the contractor to ensure the right of all citizens to fair and equal treatment in employment paid from public funds. The contractor should understand that the nondiscrimination provision applies not only to hiring practices, but to the various aspects of employment including work assignment, upgrading, layoff, and opportunity for training on the contract work.

c. After the execution of each contract, the Chief of Logistics or his designee shall write a letter to a top official of the contractor, again emphasizing the importance of compliance with the nondiscrimination clause.

d. All Agency personnel who visit contractors' plants shall promptly report any evidence of discrimination to the Chief of Logistics through administrative channels. All complaints of discrimination received by the Agency shall be promptly forwarded to the Chief of Logistics.

e. Upon receipt of any report or complaint of discrimination, the Chief of Logistics shall write the contractor requesting a full explanation and shall make such further investigation as is necessary to resolve any disputed facts. Where it appears that the contractor is at fault, the investigation shall be followed up in writing by the Chief of Logistics, and written assurance of corrective action should be obtained from the contractor's top management.

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F. As required by the Executive order, the Chief of Logistics shall report to the Government Contract Committee the action taken on all complaints.

3. The basis for corrective action by the Agency in discrimination cases is the contractual obligation assumed by the contractor when accepting Agency work. The nondiscrimination provision is an integral part of the contract and is legally binding on the contractor. Questions which come up under it should be handled with the contractor in the same manner as other questions of contract performance are handled. A variety of sanctions, including legal remedies, may be available against contractors who violate the nondiscrimination provision. However, it is the Agency's policy to bring about the necessary correction in a contractor's employment practices by negotiation and agreement wherever possible. In the majority of cases it should suffice to establish the facts, to present them to the contractor, and to request compliance.

FOR THE DIRECTOR OF CENTRAL INTELLIGENCE:

L. K. WHITE
Acting Deputy Director
(Administration)

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